
Public Notice

**U.S. Army Corps
of Engineers**
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 2009-2080
Public Notice No. 10-40

Date: September 24, 2010
Closing Date: October 23, 2010

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. APPLICANT: MLOM, LLC
PO Box 470
Bridgeport, WV 26330
3. LOCATION: The site is located approximately 1.0 mile southeast of the town of Jane Lew, Lewis County, West Virginia, Latitude 39° 05' 49.3" / Longitude -80° 23' 39.6". The project is located on an unnamed tributary of Hackers Creek, which is tributary to the West Fork River.
4. PURPOSE AND DESCRIPTION OF WORK: MLOM, LLC has partially constructed an unpermitted and unauthorized fill in "Waters of the United States". The project was a hillside "cut and fill", of which the fill has impacted approximately 0.66 acres of palustrine emergent and scrub-shrub wetlands. These wetlands abut an unnamed tributary of Hackers Creek, which is a "seasonal relatively permanent water", and thus this stream and the abutting wetlands are jurisdictional "Waters of the United States. Unpermitted and unauthorized straightening or "channelization" and culvert placement in the unnamed tributary of Hackers Creek, affecting approximately 300 feet of stream channel, has also occurred. This Public Notice is to facilitate and "after the fact" permitting process.

Mitigation proposed for the above impacts involves various work including 1) Establishment of stormwater retention ponds; 2) Removal of fill to at least fifty (50) feet from Hackers Creek at the northern end of the site; 3) Stabilization of two meander bends on Hackers Creek via hard armoring techniques; 4) Riparian plantings along Hackers Creek and the unnamed tributary; and 5) Removal of woody debris that has been placed in the Hackers Creek floodplain.
5. WEST VIRGINIA WATER QUALITY CERTIFICATION: A West Virginia encroachment permit will be submitted to the WVDEP which includes State 401 Water Quality Certification.

West Virginia Department of Environmental Protection
Office of Water Resources
Regulatory Review Program
601 57th Street SE
Charleston, WV 25304-2345
Telephone: 304-926-0499
Re: Public Notice CELRP-OP-F No. 10-40

6. IMPACT ON NATURAL RESOURCES: The Pittsburgh District Army Corps of Engineers, Regulatory Branch has consulted with the US Fish and Wildlife Elkins Field Office concerning whether the project is likely or not to affect the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).
7. IMPACT ON CULTURAL RESOURCES. The National Register of Historic Places will be consulted, and it will be determined whether there are properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, pre-historical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality.

energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

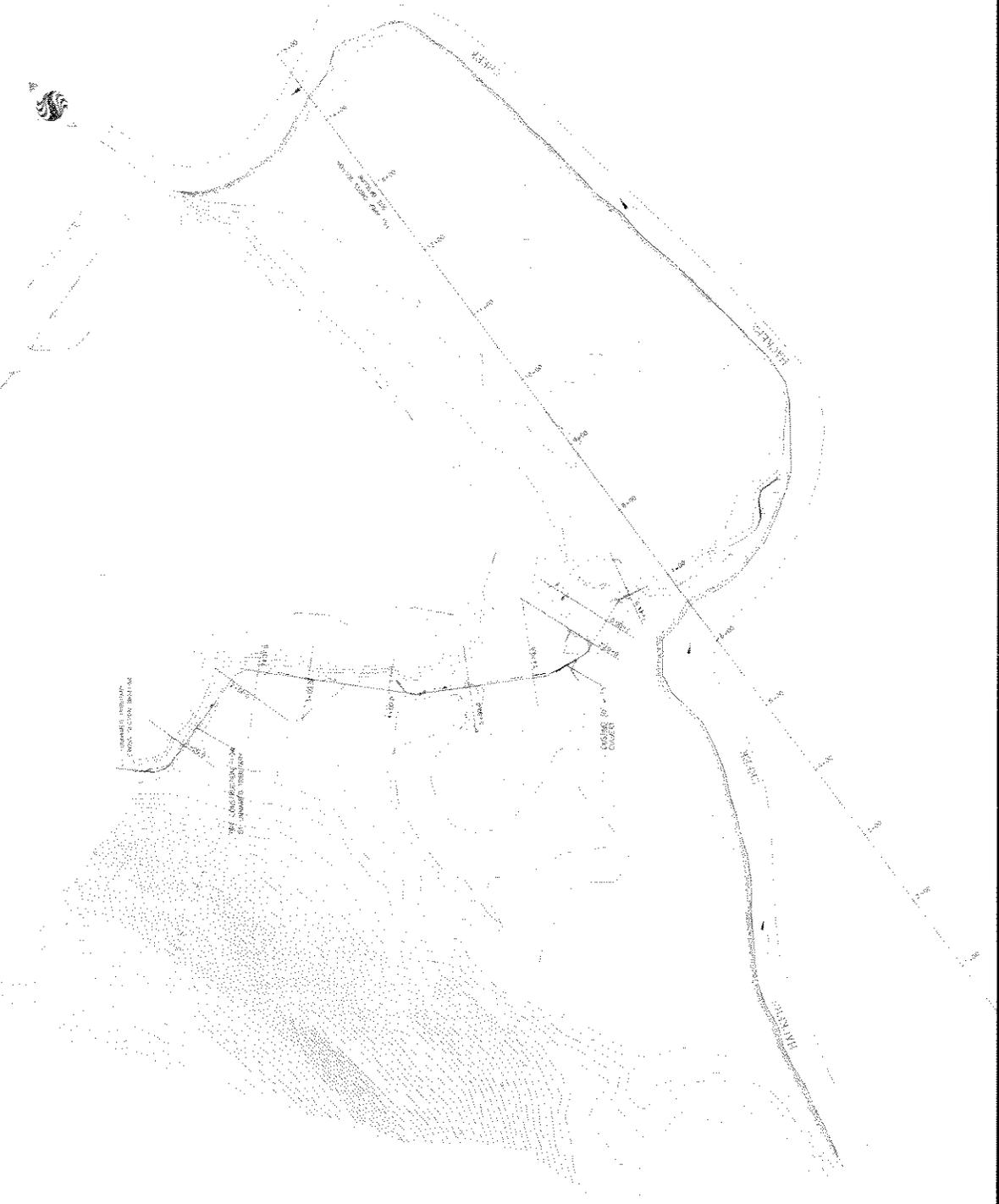
10. **RESPONSES:** A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn: Greg Currey, at the above address, by telephoning (412) 395-7517, or by e-mail at gregory.currey@usace.army.mil. Please refer to CELRP-OP-F 2009-2080 in all responses.
11. Drawings of the proposed activity are attached to this document.

FOR THE DISTRICT ENGINEER:

/SIGNED/

Marcia H. Haberman
Chief, Southern Section
Regulatory Branch

Stanton Consulting Engineers, Inc.
1. Main Avenue
Baltimore, MD 21204
Tel: 410.527.1100
Fax: 410.527.1101

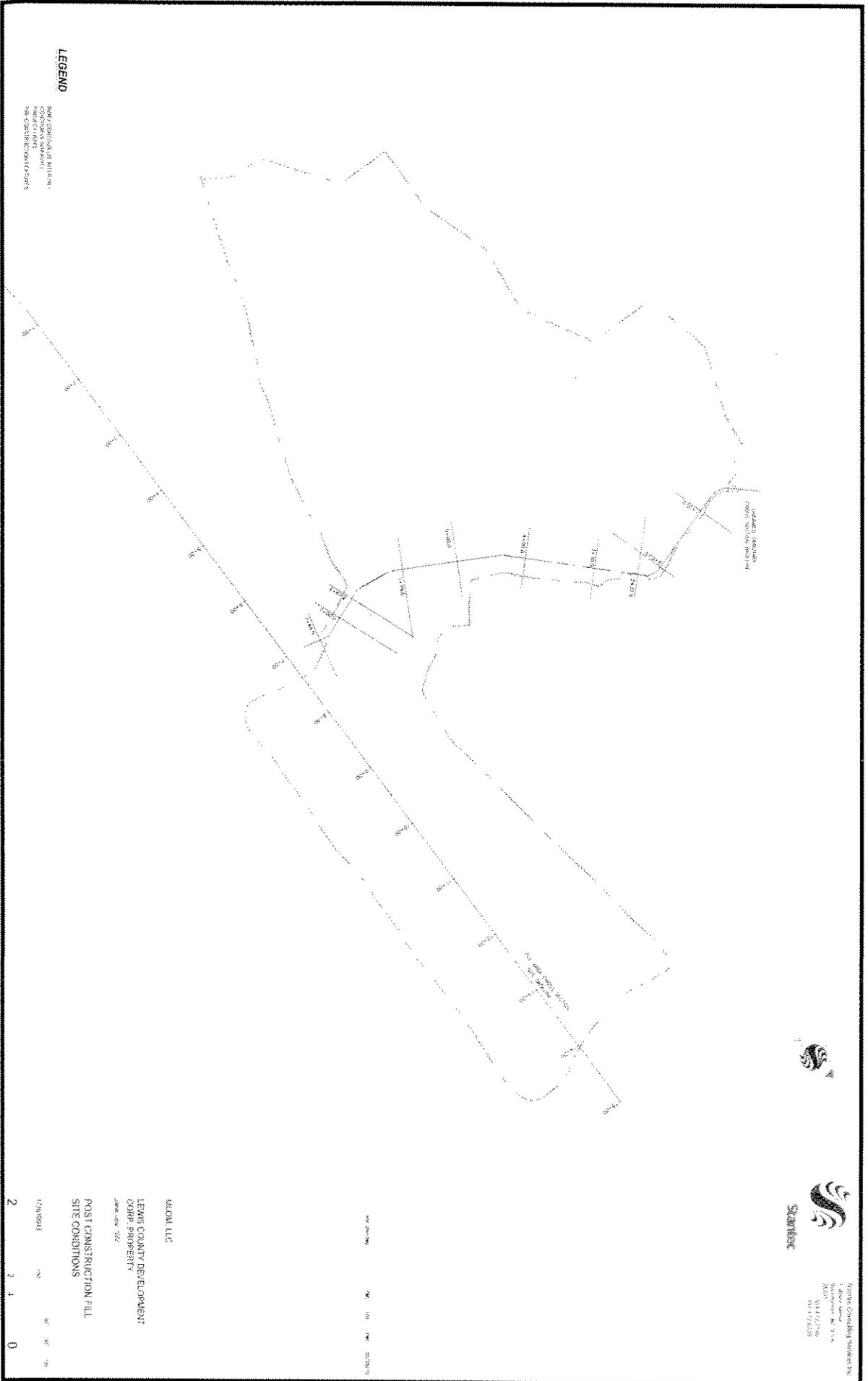


DATE: 01/14/14
SCALE: 1" = 40'

MLOW, LLC
LEWIS COUNTY DEVELOPMENT
CORP. PROPERTY
JANUARY 2014

PRE-CONSTRUCTION SITE CONDITIONS

1/14/2014
1" = 40'
1 1/4 0



LEGEND

POST CONSTRUCTION FILL SITE CONDITIONS
 CONSTRUCTION EASEMENT
 SEE SPECIFICATIONS FOR DETAILS



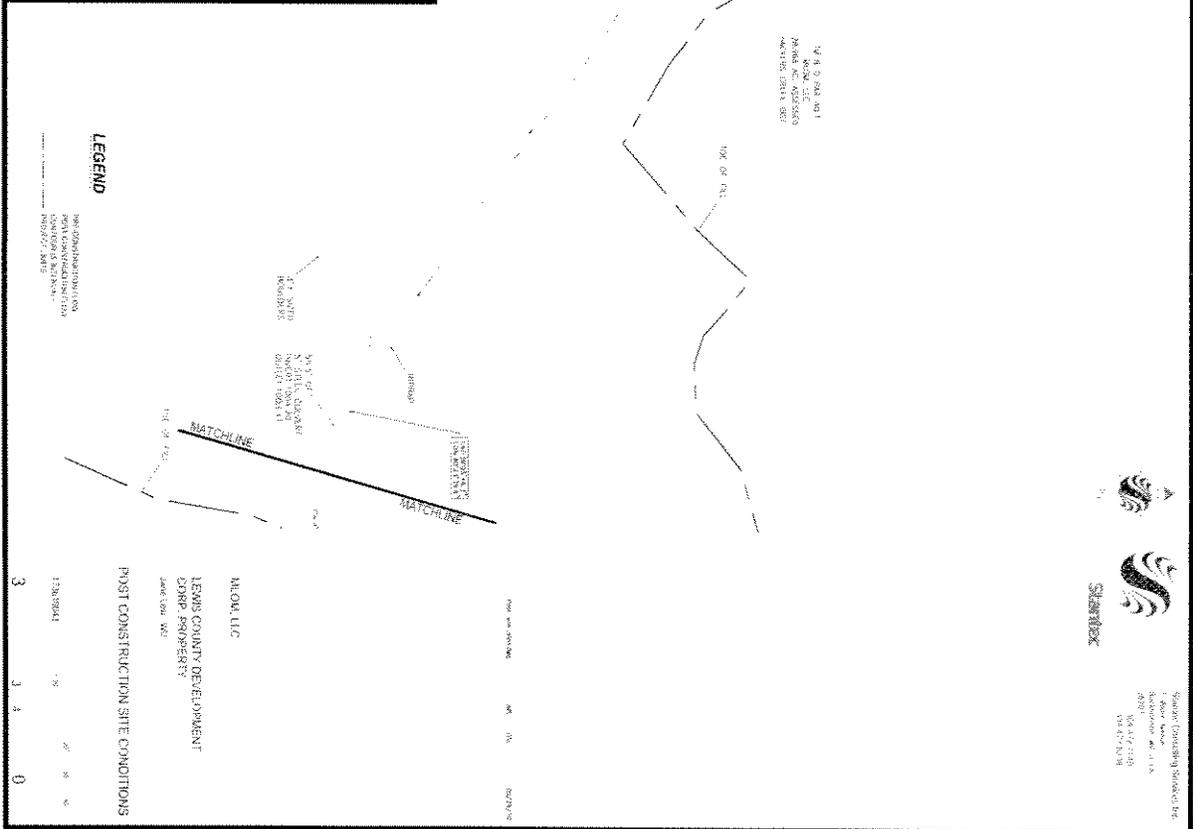
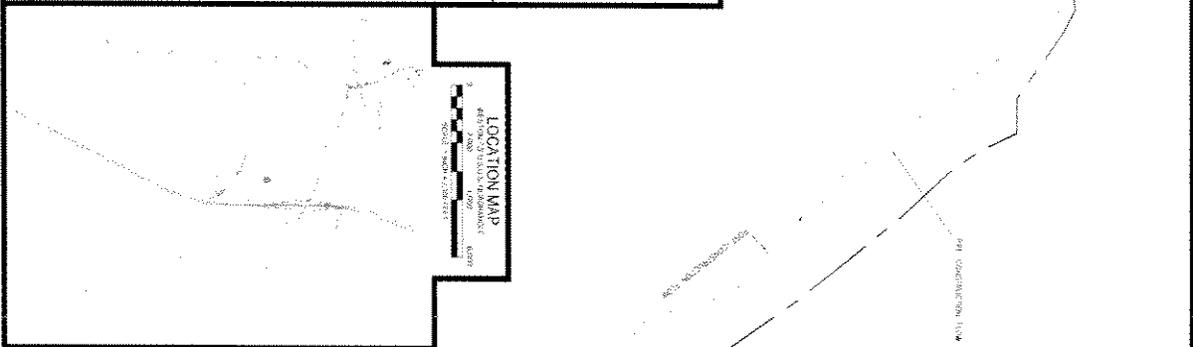
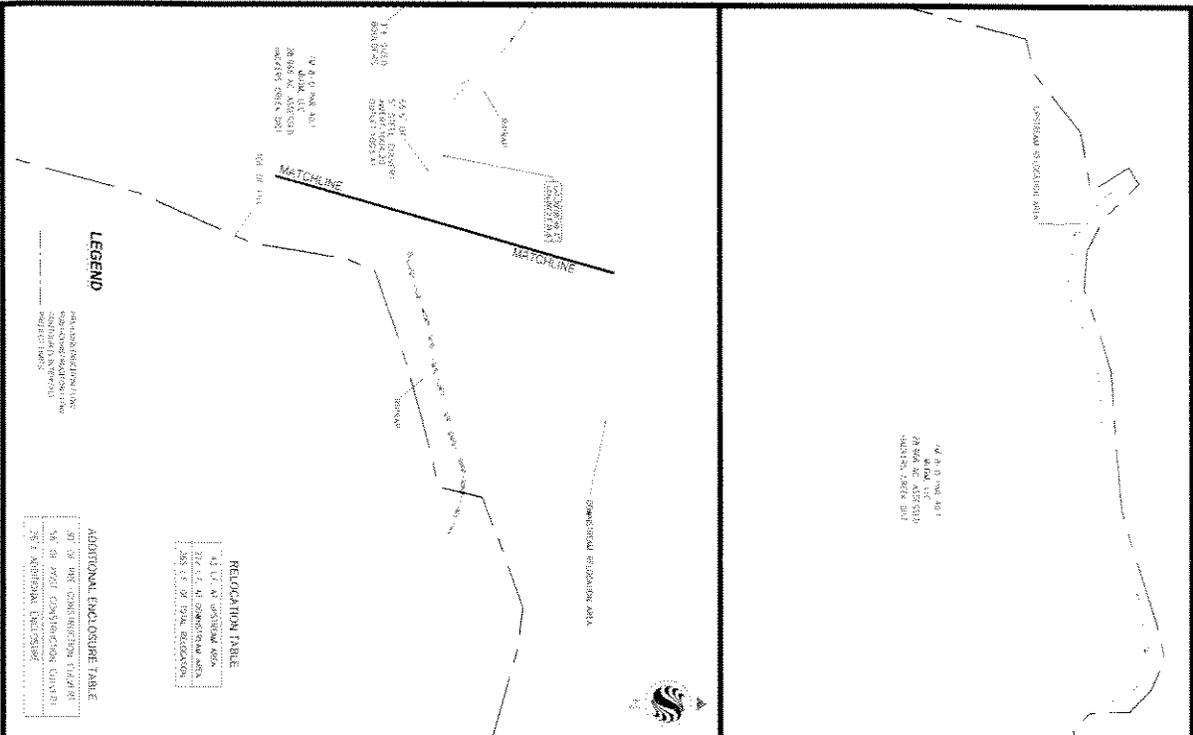
Stantec Consulting Services, Inc.
 4000 Lakeside Blvd., Suite 1000
 Kansas City, MO 64112
 816.234.7200
 www.stantec.com

SCALE: 1" = 200'

BLDM, LLC
 LEAS COUNTY DEVELOPMENT
 CORP. PROPERTY
 JAMESON, MO

POST CONSTRUCTION FILL
 SITE CONDITIONS
 1/28/2014

2 1 0



Spartan Consulting Services Inc.
 10000 Highway 101, Suite 100
 Markham, Ontario L3R 9V7
 Tel: 905.477.1100
 Fax: 905.477.1101
 www.spartanconsulting.com

UNNAMED TRIBUTARY CROSS SECTIONS

Station	Left Bank	Right Bank	Channel	Width	Depth	Area	Velocity	Flow
1000	100	100	0	0	0	0	0	0
1005	100	100	0	0	0	0	0	0
1010	100	100	0	0	0	0	0	0
1015	100	100	0	0	0	0	0	0
1020	100	100	0	0	0	0	0	0
1025	100	100	0	0	0	0	0	0
1030	100	100	0	0	0	0	0	0
1035	100	100	0	0	0	0	0	0
1040	100	100	0	0	0	0	0	0
1045	100	100	0	0	0	0	0	0
1050	100	100	0	0	0	0	0	0
1055	100	100	0	0	0	0	0	0
1060	100	100	0	0	0	0	0	0
1065	100	100	0	0	0	0	0	0
1070	100	100	0	0	0	0	0	0
1075	100	100	0	0	0	0	0	0
1080	100	100	0	0	0	0	0	0
1085	100	100	0	0	0	0	0	0
1090	100	100	0	0	0	0	0	0
1095	100	100	0	0	0	0	0	0
1100	100	100	0	0	0	0	0	0
1105	100	100	0	0	0	0	0	0
1110	100	100	0	0	0	0	0	0
1115	100	100	0	0	0	0	0	0
1120	100	100	0	0	0	0	0	0
1125	100	100	0	0	0	0	0	0
1130	100	100	0	0	0	0	0	0
1135	100	100	0	0	0	0	0	0
1140	100	100	0	0	0	0	0	0
1145	100	100	0	0	0	0	0	0
1150	100	100	0	0	0	0	0	0
1155	100	100	0	0	0	0	0	0
1160	100	100	0	0	0	0	0	0
1165	100	100	0	0	0	0	0	0
1170	100	100	0	0	0	0	0	0
1175	100	100	0	0	0	0	0	0
1180	100	100	0	0	0	0	0	0
1185	100	100	0	0	0	0	0	0
1190	100	100	0	0	0	0	0	0
1195	100	100	0	0	0	0	0	0
1200	100	100	0	0	0	0	0	0

LEGEND
PRE-CONSTRUCTION
POST-CONSTRUCTION

SITE CONSTRUCTION CROSS SECTIONS

Station	Left Bank	Right Bank	Channel	Width	Depth	Area	Velocity	Flow
1000	100	100	0	0	0	0	0	0
1005	100	100	0	0	0	0	0	0
1010	100	100	0	0	0	0	0	0
1015	100	100	0	0	0	0	0	0
1020	100	100	0	0	0	0	0	0
1025	100	100	0	0	0	0	0	0
1030	100	100	0	0	0	0	0	0
1035	100	100	0	0	0	0	0	0
1040	100	100	0	0	0	0	0	0
1045	100	100	0	0	0	0	0	0
1050	100	100	0	0	0	0	0	0
1055	100	100	0	0	0	0	0	0
1060	100	100	0	0	0	0	0	0
1065	100	100	0	0	0	0	0	0
1070	100	100	0	0	0	0	0	0
1075	100	100	0	0	0	0	0	0
1080	100	100	0	0	0	0	0	0
1085	100	100	0	0	0	0	0	0
1090	100	100	0	0	0	0	0	0
1095	100	100	0	0	0	0	0	0
1100	100	100	0	0	0	0	0	0
1105	100	100	0	0	0	0	0	0
1110	100	100	0	0	0	0	0	0
1115	100	100	0	0	0	0	0	0
1120	100	100	0	0	0	0	0	0
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1150	100	100	0	0	0	0	0	0
1155	100	100	0	0	0	0	0	0
1160	100	100	0	0	0	0	0	0
1165	100	100	0	0	0	0	0	0
1170	100	100	0	0	0	0	0	0
1175	100	100	0	0	0	0	0	0
1180	100	100	0	0	0	0	0	0
1185	100	100	0	0	0	0	0	0
1190	100	100	0	0	0	0	0	0
1195	100	100	0	0	0	0	0	0
1200	100	100	0	0	0	0	0	0

LEGEND
PRE-CONSTRUCTION
POST-CONSTRUCTION

TOTAL LENGTH OF
RELOCATED STREAM = 265 L.F.

Total FFE from Station 1+00 to 1+265 = 109.875 BICY

Station	Left Bank	Right Bank	Channel	Width	Depth	Area	Velocity	Flow
1000	100	100	0	0	0	0	0	0
1005	100	100	0	0	0	0	0	0
1010	100	100	0	0	0	0	0	0
1015	100	100	0	0	0	0	0	0
1020	100	100	0	0	0	0	0	0
1025	100	100	0	0	0	0	0	0
1030	100	100	0	0	0	0	0	0
1035	100	100	0	0	0	0	0	0
1040	100	100	0	0	0	0	0	0
1045	100	100	0	0	0	0	0	0
1050	100	100	0	0	0	0	0	0
1055	100	100	0	0	0	0	0	0
1060	100	100	0	0	0	0	0	0
1065	100	100	0	0	0	0	0	0
1070	100	100	0	0	0	0	0	0
1075	100	100	0	0	0	0	0	0
1080	100	100	0	0	0	0	0	0
1085	100	100	0	0	0	0	0	0
1090	100	100	0	0	0	0	0	0
1095	100	100	0	0	0	0	0	0
1100	100	100	0	0	0	0	0	0
1105	100	100	0	0	0	0	0	0
1110	100	100	0	0	0	0	0	0
1115	100	100	0	0	0	0	0	0
1120	100	100	0	0	0	0	0	0
1125	100	100	0	0	0	0	0	0
1130	100	100	0	0	0	0	0	0
1135	100	100	0	0	0	0	0	0
1140	100	100	0	0	0	0	0	0
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1155	100	100	0	0	0	0	0	0
1160	100	100	0	0	0	0	0	0
1165	100	100	0	0	0	0	0	0
1170	100	100	0	0	0	0	0	0
1175	100	100	0	0	0	0	0	0
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1185	100	100	0	0	0	0	0	0
1190	100	100	0	0	0	0	0	0
1195	100	100	0	0	0	0	0	0
1200	100	100	0	0	0	0	0	0

LEGEND
PRE-CONSTRUCTION
POST-CONSTRUCTION

MELOK, LLC
LEBAN COUNTY DEVELOPMENT
CAMP PROJECT
SHEPPARD, WV

CROSS SECTIONS



Stantec Consulting Services, Inc.
1000 Pennsylvania Ave, N.W.
Washington, D.C. 20004
202.462.1000
stantec.com

1. PROPOSED
 2. EXISTING
 3. UNDEVELOPED
 4. WETLANDS
 5. WETLAND BUFFER ZONE
 6. PROPOSED DREDGED RESERVOIR
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 100. PROPOSED DREDGED RESERVOIR

SWAMP	STORMWATER	STORMWATER
PROPOSED	PROPOSED	PROPOSED
RESERVOIR	RESERVOIR	RESERVOIR
NO. 1	NO. 2	NO. 3
1	2	3
1	2	3

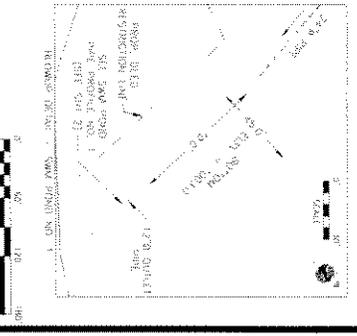
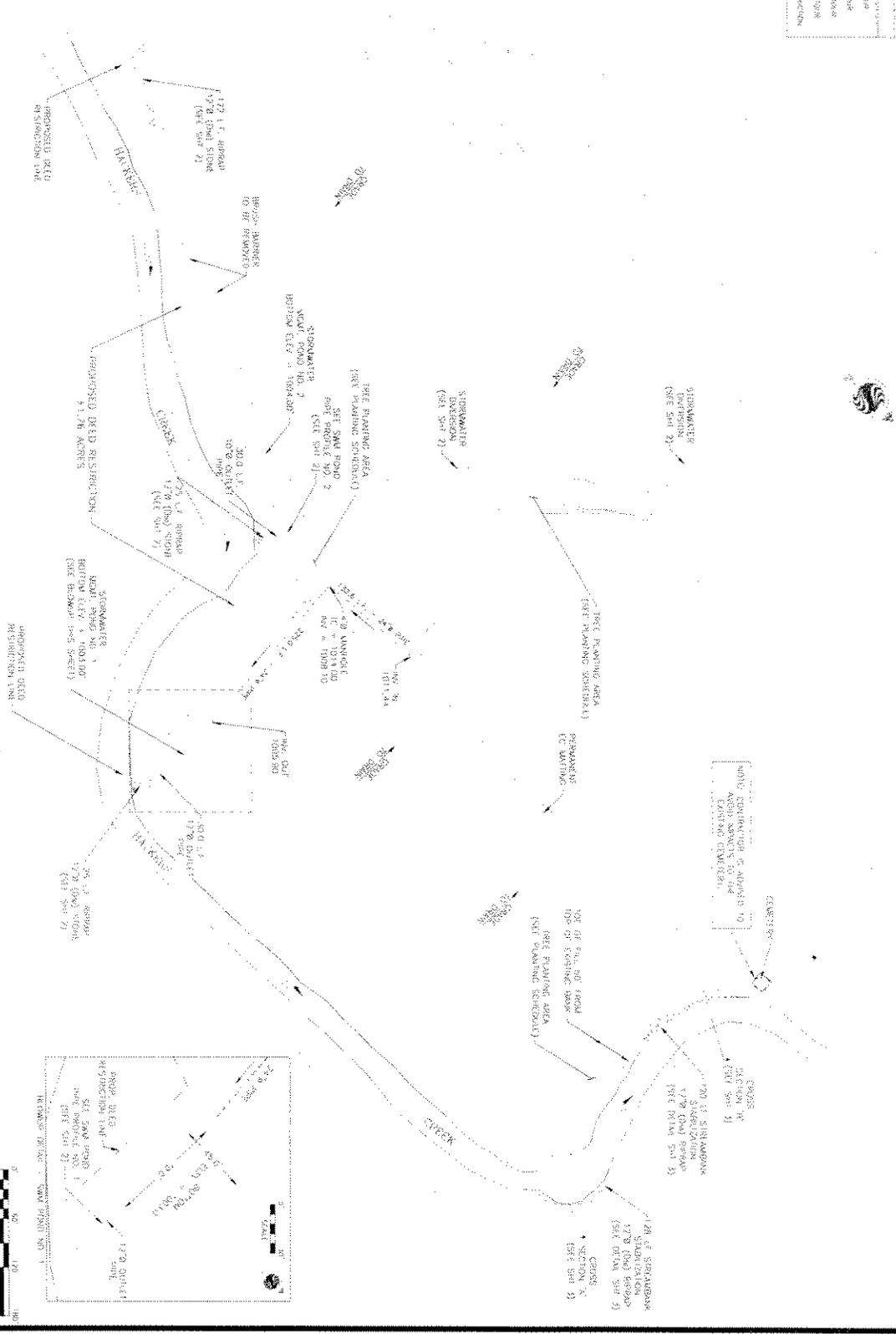
State Consulting Services, Inc.
 10000 N. 10th Street
 Suite 100
 Phoenix, AZ 85020
 Tel: (602) 998-7700
 Fax: (602) 998-7700

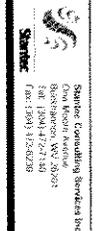
PROJECT NO. 17-001-01
 CONTRACT NO. 17-001-01
 DRAWING NO. 17-001-01-01
 DATE: 05/15/17

MIOM, LLC
 10000 N. 10th Street
 Suite 100
 Phoenix, AZ 85020
 Tel: (602) 998-7700
 Fax: (602) 998-7700

PROPOSED MITIGATION PLAN
 Approved by: [Signature]
 Date: 05/15/17

PROPOSED SITE PLAN
 17-001-01-01
 DATE: 05/15/17





Summit Consulting Services, Inc.
 One Keokuk Avenue
 Boone, IA 50030
 Tel: (319) 477-2150
 Fax: (319) 477-0238

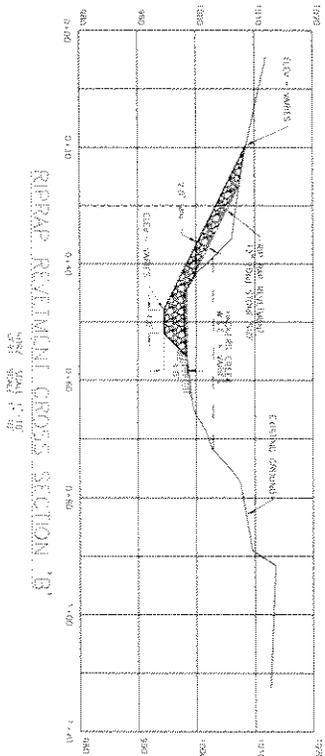
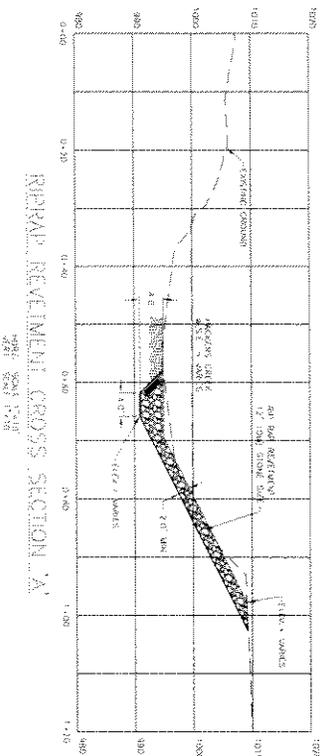
PROJECT NO.: 1288333-1
 DESIGNED BY: JAC
 DRAWN BY: JAC
 APPROVED BY: JAC

CLIENT: MDM, LLC

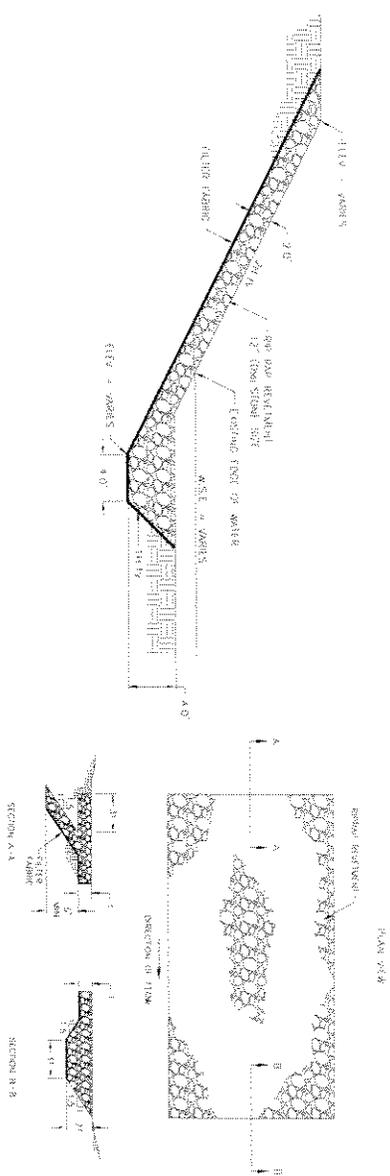
PROPOSED MITIGATION PLAN
 Along Fishers Creek
 Lewis County, West Virginia

SUMMARY OF QUANTITIES
 AND RIPRAP REVEMENT DETAILS

DATE: 05/20/2013



RIPRAP REVEMENT TYPICAL SECTION
 NOT TO SCALE



ITEM NO.	DESCRIPTION	QUANTITY	COST PER UNIT	TOTAL
1.0	MOBILIZATION/DEMOLITION	1	\$17,000.00	\$17,000.00
2.0	CONSTRUCTION LOGS	1	\$2,000.00	\$2,000.00
3.0	CLEARING & GRUBBING	1	\$1,000.00	\$1,000.00
4.0	24\"/>			
5.0	12\"/>			
6.0	1/2\"/>			
7.0	1\"/>			
8.0	24\"/>			
9.0	12\"/>			
10.0	1\"/>			
11.0	EROSION CONTROL MATING	400	\$4,000.00	\$4,000.00
12.0	TEMPORARY EROSION CONTROL	1	\$2,000.00	\$2,000.00
13.0	EROSION & SEDIMENT CONTROL	1	\$2,000.00	\$2,000.00
14.0	VEGETATION	77	\$1,050.00	\$1,050.00
15.0	VEGETATION	1	\$2,000.00	\$2,000.00
16.0	VEGETATION	1	\$2,000.00	\$2,000.00
17.0	VEGETATION	1	\$2,000.00	\$2,000.00
18.0	VEGETATION	1	\$2,000.00	\$2,000.00
19.0	VEGETATION	1	\$2,000.00	\$2,000.00
20.0	VEGETATION	1	\$2,000.00	\$2,000.00
21.0	VEGETATION	1	\$2,000.00	\$2,000.00
22.0	VEGETATION	1	\$2,000.00	\$2,000.00
23.0	VEGETATION	1	\$2,000.00	\$2,000.00
24.0	VEGETATION	1	\$2,000.00	\$2,000.00
25.0	VEGETATION	1	\$2,000.00	\$2,000.00
26.0	VEGETATION	1	\$2,000.00	\$2,000.00
27.0	VEGETATION	1	\$2,000.00	\$2,000.00
28.0	VEGETATION	1	\$2,000.00	\$2,000.00
29.0	VEGETATION	1	\$2,000.00	\$2,000.00
30.0	VEGETATION	1	\$2,000.00	\$2,000.00
31.0	VEGETATION	1	\$2,000.00	\$2,000.00
32.0	VEGETATION	1	\$2,000.00	\$2,000.00
33.0	VEGETATION	1	\$2,000.00	\$2,000.00
34.0	VEGETATION	1	\$2,000.00	\$2,000.00
35.0	VEGETATION	1	\$2,000.00	\$2,000.00
36.0	VEGETATION	1	\$2,000.00	\$2,000.00
37.0	VEGETATION	1	\$2,000.00	\$2,000.00
38.0	VEGETATION	1	\$2,000.00	\$2,000.00
39.0	VEGETATION	1	\$2,000.00	\$2,000.00
40.0	VEGETATION	1	\$2,000.00	\$2,000.00
41.0	VEGETATION	1	\$2,000.00	\$2,000.00
42.0	VEGETATION	1	\$2,000.00	\$2,000.00
43.0	VEGETATION	1	\$2,000.00	\$2,000.00
44.0	VEGETATION	1	\$2,000.00	\$2,000.00
45.0	VEGETATION	1	\$2,000.00	\$2,000.00
46.0	VEGETATION	1	\$2,000.00	\$2,000.00
47.0	VEGETATION	1	\$2,000.00	\$2,000.00
48.0	VEGETATION	1	\$2,000.00	\$2,000.00
49.0	VEGETATION	1	\$2,000.00	\$2,000.00
50.0	VEGETATION	1	\$2,000.00	\$2,000.00
51.0	VEGETATION	1	\$2,000.00	\$2,000.00
52.0	VEGETATION	1	\$2,000.00	\$2,000.00
53.0	VEGETATION	1	\$2,000.00	\$2,000.00
54.0	VEGETATION	1	\$2,000.00	\$2,000.00
55.0	VEGETATION	1	\$2,000.00	\$2,000.00
56.0	VEGETATION	1	\$2,000.00	\$2,000.00
57.0	VEGETATION	1	\$2,000.00	\$2,000.00
58.0	VEGETATION	1	\$2,000.00	\$2,000.00
59.0	VEGETATION	1	\$2,000.00	\$2,000.00
60.0	VEGETATION	1	\$2,000.00	\$2,000.00
61.0	VEGETATION	1	\$2,000.00	\$2,000.00
62.0	VEGETATION	1	\$2,000.00	\$2,000.00
63.0	VEGETATION	1	\$2,000.00	\$2,000.00
64.0	VEGETATION	1	\$2,000.00	\$2,000.00
65.0	VEGETATION	1	\$2,000.00	\$2,000.00
66.0	VEGETATION	1	\$2,000.00	\$2,000.00
67.0	VEGETATION	1	\$2,000.00	\$2,000.00
68.0	VEGETATION	1	\$2,000.00	\$2,000.00
69.0	VEGETATION	1	\$2,000.00	\$2,000.00
70.0	VEGETATION	1	\$2,000.00	\$2,000.00
71.0	VEGETATION	1	\$2,000.00	\$2,000.00
72.0	VEGETATION	1	\$2,000.00	\$2,000.00
73.0	VEGETATION	1	\$2,000.00	\$2,000.00
74.0	VEGETATION	1	\$2,000.00	\$2,000.00
75.0	VEGETATION	1	\$2,000.00	\$2,000.00
76.0	VEGETATION	1	\$2,000.00	\$2,000.00
77.0	VEGETATION	1	\$2,000.00	\$2,000.00
78.0	VEGETATION	1	\$2,000.00	\$2,000.00
79.0	VEGETATION	1	\$2,000.00	\$2,000.00
80.0	VEGETATION	1	\$2,000.00	\$2,000.00
81.0	VEGETATION	1	\$2,000.00	\$2,000.00
82.0	VEGETATION	1	\$2,000.00	\$2,000.00
83.0	VEGETATION	1	\$2,000.00	\$2,000.00
84.0	VEGETATION	1	\$2,000.00	\$2,000.00
85.0	VEGETATION	1	\$2,000.00	\$2,000.00
86.0	VEGETATION	1	\$2,000.00	\$2,000.00
87.0	VEGETATION	1	\$2,000.00	\$2,000.00
88.0	VEGETATION	1	\$2,000.00	\$2,000.00
89.0	VEGETATION	1	\$2,000.00	\$2,000.00
90.0	VEGETATION	1	\$2,000.00	\$2,000.00
91.0	VEGETATION	1	\$2,000.00	\$2,000.00
92.0	VEGETATION	1	\$2,000.00	\$2,000.00
93.0	VEGETATION	1	\$2,000.00	\$2,000.00
94.0	VEGETATION	1	\$2,000.00	\$2,000.00
95.0	VEGETATION	1	\$2,000.00	\$2,000.00
96.0	VEGETATION	1	\$2,000.00	\$2,000.00
97.0	VEGETATION	1	\$2,000.00	\$2,000.00
98.0	VEGETATION	1	\$2,000.00	\$2,000.00
99.0	VEGETATION	1	\$2,000.00	\$2,000.00
100.0	VEGETATION	1	\$2,000.00	\$2,000.00
TOTAL COST				\$21,255.00